SBCivil Writ Petition No.165/2006

Bhanwar Singh Sankhla
Vs.
Pali Central Cooperative Bank Ltd., Pali & Ors.

Date of Order :: 10th October, 2006

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. Rajesh Joshi, for the petitioner.
Mr. Vijay Bishnoi, for the respondents.

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By this petition for writ validity and propriety of the order dated 15.12.2005 passed by Executive Officer, Pali Central Cooperative Bank Ltd., Pali is challenged. By the order aforesaid the Executive Officer of Pali Central Cooperative Bank Ltd., Pali posted one Shri Jaswant Singh as Manager, Manda Gram Sewa Sahkari Samiti Ltd. in addition to his posting as Manager, Sarwad Gram Sewa Sahkari Samiti Ltd..

While giving challenge to the order aforesaid it is contended by counsel for the petitioner that the petitioner in pursuant to a resolution of Manda Gram Sewa Sahkari Samiti Ltd. was already working as Manager of the Cooperative Society, therefore, the Central Cooperative Bank Ltd., Pali acted beyond the jurisdiction vested with it while directing Shri Jaswant Singh to take over the charge of the office of Manager, Manda Gram Sewa Sahkari Samiti Ltd. Counsel for the petitioner has placed on record a copy of the order dated 20.2.2006 whereby an amendment was

introduced in the order dated 15.12.2005 whereby Shri Nainaram, Manager, Musasia Gram Sewa Sahkari Samiti Ltd. was ordered to look after the work of the office of Manager, Manda Gram Sewa Sahkari Samiti Ltd. also.

In reply to the writ petition it is stated by the respondents that the appointment was given to the petitioner as Manager-cum-Salesman subject to permission from the Managing Director of Pali Central Cooperative Bank Ltd., Pali. No such permission was ever given by the Managing Director of the bank. It is further stated that the bank did not exceed its jurisdiction by instructing Shri Jaswant Singh or Shri Nainaram by looking after the work of the office of Manager, Manda Gram Sewa Sahkari Samiti Ltd.

Heard counsel for the parties.

Under the Primary Agriculture Credit Cooperative Society/Large Agriculture Multi Purpose Cooperative Societies Managers (Selection & Appointment) Service Conditions, 2003, the authority to appoint a Manager (Vyavasthapak) is with the Central Cooperative Bank. The Manda Gram Sewa Sahkari Samiti Ltd. is having no say in appointment of its manager. It is solely within the domain of Central Cooperative Bank Ltd., Pali, therefore, no error is committed by the Executive Officer of the respondent bank in instructing Shri Jaswant Singh or Shri

Nainaram to take over additional charge of the office of Manager, Manda Gram Sewa Sahkari Samiti Ltd.

As such, I do not find any merit in the writ petition. The same, therefore, is dismissed.

(GOVIND MATHUR),J.

kkm/ps.